

Reply to Office Action dated July 16, 2008

**REMARKS**

Claims 19-20, 23, 25-27, 30-31, 36-38, 41-42, 46, 48-50, 53, 57, 59-61, 64-66, 68-73 and 75-85 are pending in this application. By this Amendment, claims 19, 30, 41, 53, 64, 75, 77, 82 and 84-85 are amended. Various amendments are made for clarity and are unrelated to issues of patentability.

Entry of the amendments is proper under 37 C.F.R. §1.116 because the amendments: (1) place the application in condition for allowance; (2) do not raise any new issues requiring further search and/or consideration; and/or (3) place the application in better form for appeal, should an appeal be necessary. More specifically, the above amendments are merely for clarity of previously claimed subject matter. Thus, no new issues are raised. Entry is thus proper under 37 C.F.R. §1.116.

The Office Action rejects claim 41 under 35 U.S.C. §112, second paragraph. It is respectfully submitted that the above amendment to independent claim 41 obviates the grounds for rejection. Withdrawal of the rejection is respectfully requested.

The Office Action rejects claims 19-20, 23, 27, 30-31, 38, 41-42, 46, 50, 53, 57, 61, 64-66, 68-73 and 75-81 under 35 U.S.C. §103(a) over U.S. Patent Publication 2004/0030596 to Attar et al. (hereafter Attar) in view of WO 00/63874 to Stringer and newly-cited U.S. Patent 6,820,112 to Matsuda et al. (hereafter Matsuda). Still further, the Office Action rejects claims 82-85 under 35 U.S.C. §103(a) over Attar in view of Stringer and U.S. Patent 6,884,172 to Lloyd et al. (hereafter Lloyd). The Office Action also rejects claims 25-26, 36-37, 48-49 and 59-60 under 35

U.S.C. §103(a) over Attar in view of Stringer, Matsuda and Lloyd. The rejections are respectfully traversed with respect to the pending claims.

Independent claim 19 recites displaying the avatar at a mobile phone of the called party, the avatar including a plurality of joints, each joint corresponding to a different inputted key of a mobile phone of a calling party. Independent claim 19 also recites receiving a signal for controlling a joint of the avatar based on an inputted one of the keys of the mobile phone of the calling party, wherein the received signal is transmitted from the mobile phone of the calling party to the called party, the received signal based on the inputted one of the keys corresponding to one of the joints of the avatar. Independent claim 19 also recites controlling at least one joint of the displayed avatar in accordance with the received signal.

The applied references do not teach or suggest all the features of independent claim 19. The Office Action (on page 3) states that Attar does not disclose an avatar including a plurality of joints. Attar does not teach or suggest that each joint corresponding to a different inputted key of a mobile phone of a calling party, as recited in independent claim 19. Attar also does not teach or suggest the received signal based on the inputted one of the keys corresponding to one of the joints of the avatar.

Stringer discloses a handheld computer input pointing device 100 that includes a motion detector and a pressure sensor. Stringer does not suggest a mobile phone and/or keys of a mobile phone. Stringer does not suggest the missing features. Therefore, Attar and Stringer do not teach or suggest an avatar including a plurality of joints, each joint corresponding to a different inputted key of a mobile phone of a calling party, as recited in independent claim 19.

Attar and Stringer also do not teach or suggest that the received signal based on the inputted one of the keys corresponding to one of the joints of the avatar.

The Office Action (on page 5) cites Matsuda's col. 10, lines 17-34 (FIG. 9) as teaching a skeletal structure of a virtual living object that includes Joint IDs. However, Matsuda does not teach or suggest that each joint corresponds to a different inputted key of a mobile phone. Matsuda does not suggest a mobile phone and/or keys of a mobile phone. The Office Action (on page 5, lines 7-9) appears to state that Matsuda teaches assigning keys of a mobile phone as individual joints. However, Matsuda does not teach this alleged assignment. Matsuda also does not assign keys of a mobile phone. Matsuda does not suggest the missing features as Matsuda does not suggest a relationship of joints (of an avatar) and keys (of a mobile phone).

The Office Action has not provided any reference or combination of references that teaches the specific relationship of the claimed joints (of the avatar) and the claimed inputted key(s) of the mobile phone. Not a single reference (or combination) teaches or suggests that each joint corresponding to a different inputted key of a mobile phone. Therefore, even if combined, the combination does not suggest all the features of independent claim 19.

Attar, Stringer and Matsuda do not teach or suggest each joint corresponding to a different inputted key of a mobile phone of a calling party, receiving a signal for controlling a joint of the avatar based on an inputted one of the keys of the mobile phone of the calling party, the received signal based on the inputted one of the keys corresponding to one of the joints of the avatar. The other applied references do not teach or suggest the features of independent

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claim 19 missing from Attar, Stringer and Matsuda. Thus, independent claim 19 defines patentable subject matter.

Independent claim 30 recites a receiver, at a mobile phone of a called party, for receiving signals for controlling an avatar having a plurality of joints, wherein the signals are transmitted from a mobile phone of a calling party based on inputted keys of a key pad of the mobile phone of the calling party, each inputted key of the mobile phone of the calling party corresponding to a different joint of the avatar. Independent claim 30 also recites a display for displaying the avatar at the mobile phone of the called party, and a controller for controlling different states of the displayed avatar at the mobile phone of the called party in accordance with the received signals, wherein the controller controls the different states by controlling the joints of the avatar corresponding to the inputted keys of the mobile phone of the calling party.

For at least similar reasons as set forth above, the applied references do not teach or suggest at least these features of independent claim 30. More specifically, Attar, Stringer and Matsuda do not teach or suggest each inputted key of the mobile phone of the calling party corresponding to a different joint of the avatar, and the controller controls the different states by controlling the joints of the avatar corresponding to the inputted keys of the mobile phone of the calling party. Thus, independent claim 30 defines patentable subject matter.

Independent claim 41 recites displaying the avatar on the mobile phone of the called party, wherein the avatar has a plurality of joints each corresponding to a different one of a plurality of keys of the mobile phone of the calling party. Independent claim 41 also recites generating a signal, based on an inputted one of the keys, for controlling the corresponding joint

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of the avatar displayed at the called party and displayed on the mobile phone, and transmitting the signal to the called party via a network.

For at least similar reasons as set forth above, the applied references do not teach or suggest at least these features of independent claim 41. More specifically, Attar, Stringer and Matsuda do not teach or suggest that the avatar has a plurality of joints each corresponding to a different one of a plurality of keys of the mobile phone of the calling party. Thus, independent claim 41 defines patentable subject matter.

Independent claim 53 recites a display for displaying the avatar at the mobile phone of the calling party, a key pad having a plurality of keys each corresponding to a different joint of the avatar, and a controller for generating a signal for controlling the avatar displayed at the mobile phone of the called party based on a selected one of the keys of the key pad, and the controller for controlling the avatar displayed at the mobile phone of the calling party by changing the specific joint of the avatar corresponding to the selected key of the mobile phone.

For at least similar reasons as set forth above, the applied references do not teach or suggest at least these features of independent claim 53. More specifically, Attar, Stringer and Matsuda do not teach or suggest a key pad having a plurality of keys each corresponding to a different joint of the avatar, and the controller for controlling the avatar displayed at the mobile phone of the calling party by changing the specific joint of the avatar corresponding to the selected key of the mobile phone of the calling party. Thus, independent claim 53 defines patentable subject matter.

Independent claim 64 recites a mobile phone of a calling party for generating signals for controlling joints of an avatar and transmitting the generated signals, the mobile phone including a plurality of keys each corresponding to a different joint of the avatar, wherein the generated signals relate to selected keys that correspond to specific joints of the avatar. Independent claim 64 also recites a mobile phone of a called party for receiving the signals transmitted from the mobile phone of the calling party and displaying the avatar in a plurality of different states based on the received signals, wherein each of the states includes a different arrangement of the joints of the avatar based on the selected keys of the mobile phone of the calling party.

For at least similar reasons as set forth above, the applied references do not teach or suggest at least these features of independent claim 64. More specifically, Attar, Stringer and Matsuda do not teach or suggest the mobile phone including a plurality of keys each corresponding to a different joint of the avatar, wherein the generated signals relate to selected keys that correspond to specific joints of the avatar. Attar, Stringer and Matsuda also do not teach or suggest that each of the states includes a different arrangement of the joints of the avatar based on the selected keys of the mobile phone of the calling party. Thus, independent claim 64 defines patentable subject matter.

Independent claim 65 recites generating signals to control the avatar at a mobile phone by selecting different keys of the mobile phone, wherein the avatar includes a plurality of joints and each key of the mobile phone corresponds to a different joint of the avatar. Independent claim 65 also recites receiving the signals at a called party, and displaying the avatar in different

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representations at the called party based on the received signals, wherein each of the representations includes a different arrangement of the joints of the avatar.

For at least similar reasons as set forth above, the applied references do not teach or suggest at least these features of independent claim 65. More specifically, Attar, Stringer and Matsuda do not teach or suggest that the avatar includes a plurality of joints and each key of the mobile phone corresponds to a different joint of the avatar. Thus, independent claim 65 defines patentable subject matter.

Independent claim 75 recites receiving a signal for controlling a joint of the avatar, wherein the received signal is transmitted from a mobile phone of a calling party to the mobile phone of the called party, and displaying the avatar controlled in accordance with the received signal at the mobile phone of the called party based on selection of a key from the mobile phone, the received signal corresponding to both the joint of the avatar and the key of the mobile phone. Independent claim 75 also recites that the avatar being controlled at the mobile phone of the called party is the same as in the mobile phone of the calling party, wherein the avatar of the mobile phone of the calling party is equally controlled and displayed corresponding to an input signal generated by a user of the mobile phone of the calling party.

For at least similar reasons as set forth above, the applied references do not teach or suggest at least these features of independent claim 75. More specifically, the applied references do not teach or suggest the received signal corresponding to both the joint of the avatar and the key of the mobile phone of the calling party. Thus, independent claim 75 defines patentable subject matter.

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Independent claim 76 recites receiving a signal for controlling the avatar based on a specific key pad selection of a mobile phone of the calling party, wherein the received signal is transmitted from the mobile phone of the calling party to the mobile phone of the called party. Independent claim 76 also recites controlling the avatar in accordance with the received signal, and displaying the controlled avatar at the mobile phone of the called party, wherein the avatar being controlled at the mobile phone of the called party is the same as in the mobile phone of the calling party, wherein the avatar of the mobile phone of the calling party is equally controlled and displayed corresponding to an input signal generated by a user of the mobile phone of the calling party.

For at least similar reasons as set forth above, the applied references do not teach or suggest at least these features of independent claim 76. Attar, Stringer and Matsuda do not teach or suggest receiving a signal for controlling the avatar based on a specific key pad selection of a mobile phone of the calling party. Thus, independent claim 76 defines patentable subject matter.

Independent claim 77 recites selecting the avatar being controlled using the mobile phone of the calling party, and generating a signal for controlling the selected avatar, wherein the generated signal is based on a specific key of the mobile phone and a corresponding joint of the avatar. Independent claim 77 also recites transmitting the signal to the mobile phone of the called party via a network, wherein the avatar being controlled at the mobile phone of the called party is the same as in the mobile phone of the calling party, wherein the avatar of the mobile phone of the calling party is controlled and displayed corresponding to the generated signal.



For at least similar reasons as set forth above, the applied references do not teach or suggest at least these features of independent claim 77. More specifically, the applied references do not teach or suggest that the generated signal is based on a specific key of the mobile phone (of the calling party) and a corresponding joint of the avatar. Thus, independent claim 77 defines patentable subject matter.

Independent claim 78 recites selecting the avatar being controlled using the mobile phone of the calling party, displaying the selected avatar on the mobile phone of the calling party, and generating a signal for controlling the displayed avatar, wherein the generated signal is based on a specific key of the mobile phone of the calling party and a corresponding joint of the avatar. Independent claim 78 also recites transmitting the signal to control the displayed avatar to the mobile phone of the called party via a network, wherein the avatar being controlled at the mobile phone of the called party is the same as in the mobile phone of the calling party, wherein the avatar of the mobile phone of the calling party is equally controlled and displayed corresponding to the generated signal.

For at least similar reasons as set forth above, the applied references do not teach or suggest at least these features of independent claim 78. Attar, Stringer and Matsuda do not teach or suggest that the generated signal is based on a specific key of the mobile phone of the calling party and a corresponding joint of the avatar. Thus, independent claim 78 defines patentable subject matter.

Independent claim 82 recites receiving, at the mobile phone of the called party, a special number from a mobile phone of a calling party, wherein the special number represents an

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identified number for controlling the avatar, and displaying the avatar at the mobile phone of the called party, the avatar including a plurality of joints. Independent claim 82 also recites receiving a signal for controlling the avatar from the mobile phone of the calling party based on a specific input key of the mobile phone, the received signal corresponding to the specific input key of the mobile phone and one of the joints of the avatar, and controlling the one of the joints of the displayed avatar in accordance with the received signal.

For at least similar reasons as set forth above, the applied references do not teach or suggest all the features of independent claim 82. Attar, Stringer and Matsuda do not teach or suggest receiving a signal for controlling the avatar from the mobile phone of the calling party based on a specific input key of the mobile phone, the received signal corresponding to the specific input key of the mobile phone and one of the joints of the avatar in combination with controlling the one of the joints of the displayed avatar in accordance with the received signal.

Additionally, Lloyd does not teach or suggest receiving, at the mobile phone of the called party, a special number from a mobile phone of a calling party, wherein the special number represents an identified number for controlling the avatar. Lloyd discloses that a user provides identification and authentication in the form of a name and a password to search for a correct avatar from a game engine (at a server). This does not teach or suggest the features of receiving, at the mobile phone of the called party, a special number that represents an identified number for controlling the avatar. Thus, independent claim 82 defines patentable subject matter.

Independent claim 83 recites a receiver for receiving a special number from a mobile phone of a calling party and for receiving signals for controlling an avatar having a plurality of

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joints, wherein the special number represents an identified number for controlling the avatar, and wherein the signals are transmitted from the mobile phone of the calling party. Independent claim 83 also recites a display for displaying the avatar, and a controller for controlling different states of the displayed avatar in accordance with the received signals, wherein the controller controls the different states by controlling the joints of the avatar.

For at least similar reasons as set forth above, the applied references do not teach or suggest all the features of independent claim 83. The applied references (including Lloyd) do not teach or suggest a receiver for receiving a special number from a mobile phone of a calling party and for receiving signals for controlling an avatar having a plurality of joints, wherein the special number represents an identified number for controlling the avatar. Thus, independent claim 83 defines patentable subject matter.

Independent claim 84 recites pressing a phone number of the mobile phone of the called party, and pressing a special number, wherein the special number represents an identifier number for controlling the avatar. Independent claim 84 also recites displaying the avatar on a display of the mobile phone of the calling party, wherein the avatar has a plurality of joints, generating a signal for controlling at least one joint of the avatar by pressing one of a plurality of key buttons of the mobile phone of the calling party, and transmitting the signal to the mobile phone of the called party via a network.

For at least similar reasons as set forth above, the applied references do not teach or suggest all the features of independent claim 84. Attar, Scott and Matsuda do not teach or suggest generating a signal for controlling at least one joint of the avatar by pressing one of a

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plurality of key buttons of the mobile phone of the calling party. Further, Lloyd does not teach or suggest pressing a special number, wherein the special number represents an identifier number for controlling the avatar. Thus, independent claim 84 defines patentable subject matter.

Independent claim 85 recites key buttons, a display for displaying the avatar at the mobile phone of the calling party, and a controller for generating a special signal based on a special number input through the key buttons and for generating a control signal for controlling the avatar displayed at the called party. Independent claim 85 also recites the special number represents an identifier number for controlling the avatar, and the control signal corresponds to one of the key buttons, wherein the avatar includes a plurality of joints and the control signal corresponds to one of the joints of the avatar. Independent claim 85 also recites a transmitter for transmitting the special signal and the control signal to the mobile phone of the called party via a network.

For at least similar reasons as set forth above, the applied references do not teach or suggest all the features of independent claim 85. More specifically, Attar, Scott and Matsuda do not teach or suggest the control signal corresponds to one of the key buttons, wherein the avatar includes a plurality of joints and the control signal corresponds to one of the joints of the avatar. Lloyd also does not teach or suggest a controller for generating a special signal based on a special number input through the key buttons and the special number represents an identifier number for controlling the avatar in combination with transmitting the special signal to the mobile phone. Thus, independent claim 85 defines patentable subject matter.

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For at least the reasons set forth above, each of independent claims 19, 30, 41, 53, 64, 65, 75-78 and 82-85 defines patentable subject matter. Each of the dependent claims depends from one of the independent claims and therefore defines patentable subject matter at least for this reason. In addition, the dependent claims recite features that further and independently distinguish over the applied references.

### **CONCLUSION**

In view of the foregoing, it is respectfully submitted that the application is in condition for allowance. Favorable consideration and prompt allowance of claims 19-20, 23, 25-27, 30-31, 36-38, 41-42, 46, 48-50, 53, 57, 59-61, 64-66, 68-73 and 75-85 are earnestly solicited. If the Examiner believes that any additional changes would place the application in better condition for allowance, the Examiner is invited to contact the undersigned attorney at the telephone number listed below.

Serial No. **10/714,926**

Docket No. **DPO-0010**

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To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this, concurrent and future replies, including extension of time fees, to Deposit Account 16-0607 and please credit any excess fees to such deposit account.

Respectfully submitted,  
KED & ASSOCIATES, LLP



David C. Oren  
Registration No. 38,694

P.O. Box 221200  
Chantilly, Virginia 20153-1200  
(703) 766-3777 DCO/kah

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**Please direct all correspondence to Customer Number 34610**